

UNITED STATES COURT OF APPEALS

APR 24 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BERT DOUGLAS MONTGOMERY,

Defendant - Appellant.

No. 07-10058

D.C. No. CR-02-00010-ARM
District of the Northern Mariana
Islands

ORDER

Before: B. FLETCHER, CANBY, and PREGERSON, Circuit Judges.

The court is of the unanimous opinion that the facts and legal arguments are adequately presented in the briefs and record and the decisional process would not be significantly aided by oral argument. This case is therefore submitted on the briefs and record without oral argument as of the date of this order. Fed. R. App. P. 34(a)(2).